

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

ANTONIO ROBINSON,

Plaintiff

VS.

MR. THORPE,

Defendant

NO. 5:06-CV-191 (CAR)

**PROCEEDINGS UNDER 42 U.S.C. §1983  
BEFORE THE U. S. MAGISTRATE JUDGE**

**ORDER**

Before the court is plaintiff ANTONIO ROBINSON’s “MOTION REQUESTING FEDERAL TRANSFER PROTECTION.” Tab #46. Plaintiff’s motion asks the court to transfer him [from state custody] into the federal witness protection program. The instant suit deals with the defendant’s alleged confiscation of the plaintiff’s legal mail and the resulting denial of access to the courts. Plaintiff complains that he is being retaliated against for filing this lawsuit. However, the relief he seeks is not available to him: he is not a federal witness and is not in federal custody. This court has no authority to remove him from state custody. Accordingly, plaintiff’s motion is DENIED.

Plaintiff is free, of course, to institute a new legal proceeding against any state actor whom he alleges is retaliating against him for filing this lawsuit. He may obtain the necessary Section 1983 forms from the Clerk of Court.

SO ORDERED this 29<sup>th</sup> day of MARCH, 2007.



A handwritten signature in blue ink that reads "Claude W. Hicks, Jr." The signature is fluid and cursive, with "Claude" and "W." being more stylized.

CLAUDE W. HICKS, JR.  
UNITED STATES MAGISTRATE JUDGE